

80 Highland Avenue
Rochester, NY 14620
April 10, 1993

National Lawyers Guild

New York, New York

Re: Gay Alliance of Genesee Valley v. City Assessor of
Rochester, New York

Dear Folks:

As we discussed, this letter is a request for legal assistance from the National Lawyers Guild.

I am a long time Guild member. I work as a legal services attorney in Rochester, New York, but am handling this case on a pro bono basis.

Ten years ago, I brought a pro bono civil rights suit in Buffalo and held myself out the entire time as being affiliated with the National Lawyers Guild. I don't know if it's old-age or what, but doing so in this case didn't cross my mind (maybe because there is no chapter in Rochester) until we received the enclosed eloquent and, in my view, landmark decision this week. As you can see, Justice Siracuse found that Rochester's denial of property tax exempt status to the Gay Alliance's Center unconstitutionally discriminated against the Center because of the contents of its message and the character of its membership. I have enclosed a copy of the decision as well as the local press for your information.

For what must only be crass political reasons, the City has announced that it will appeal, giving me a chance to make up for my memory block. Unless the National Office objects, I would like to affiliate myself from now on with the National Lawyers Guild. Please let me know what the rules (if any!) for doing so are these days.

This is not, however, the only reason I am writing. The GAGV, my co-counsel and I would be absolutely thrilled if the Guild would consider filing an amicus on behalf of the NLG (or better yet, on behalf of a coalition of groups!) in this appeal. Moving as fast as possible, I estimate that our brief will be due in September.

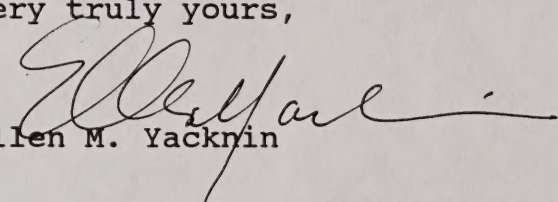
From our vantage point, it would be great support for the GAGV, and it would generate terrific publicity, and it would give Susan and me less to worry about in terms of making all the right arguments. (You should know that even though the Judge intends to award us fees under 42 USC §1988, Susan and I, as legal services attorneys, are barred from accepting fees for the outside practice of law under the Legal Services Act, and will not be able to accept any fees.)

From the Guild's point of view, your work could be relatively easy (our briefs are good, and the judge's decision is even better!), you can use the appeal for openly political purposes much easier than we can, and, as I mentioned above, enormous publicity will be generated (the case was headline news all day yesterday.)

For all these reasons, we would greatly appreciate any efforts the Guild can take to get involved in this case as amicus. If you would like to discuss this matter further, feel free to call me at work at (716) 454-6500, or at home at (716) 256-0508.

I look forward to hearing from you soon, and to working with you further on this case.

Very truly yours,



Ellen M. Yacknin

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